

**REMARKS**

In the Official Action mailed 26 April 2005, the Examiner rejected claims 22, 24, 25, 27, 31, 35 and 37 under 35 U.S.C. §103(a); rejected claims 26, 28-30, 32-34 and 38 under 35 U.S.C. §103(a); rejected claim 36 under 35 U.S.C. §103(a); rejected claims 39, 42, 44 and 45 under 35 U.S.C. §103(a); rejected claims 40 and 41 under 35 U.S.C. §103(a); and rejected claim 43 under 35 U.S.C. §103(a).

Applicant has amended claim 22. Claims 22 and 24-45 remain pending.

**Rejection of Claims 22, 24, 25, 27, 31, 35 and 37 under 35 U.S.C. §103(a)**

The Examiner has rejected claims 22, 24, 25, 27, 31, 35 and 37 under 35 U.S.C. §103(a) as being unpatentable over Ortony, U.S. Patent No. 6,038,595, in view of Orenshteyn, U.S. Patent No. 5,889,942.

Claim 22 as amended includes the following limitation:

"a console application including ... a communication driver executing a protocol ... wherein the protocol includes an exchange in which the console application notifies a particular service in the group of services which will act as an application host, of a set of services to be invoked;

an input/output device supporting the user interface program, wherein the device downloads code controlling the set of services"

The amendment is supported at least at page 6, line 33 to page 7, line 7 of the application.

The cited combination fails to disclose at least the claim limitations above.

Ortony discloses a Network Service Device which executes programs such as an email program or a web browser, which are stored in a ROM or mass storage unit. Ortony, column 6, lines 28-36. The portable Network Service Device of Ortony does not download code controlling the email program or web browser, as the email program or web browser is already present at the portable Network Service Device. Furthermore, in Ortony the download capabilities of a nonportable Local Area Server are limited to downloading complete application programs, but not code controlling services that are invoked elsewhere. Ortony, column 5, lines 17-30.

Orenshteyn discloses a client which "removes all application logic from the client". Orenshteyn, column 6, lines 11-27. Thus, the client of Orenshteyn does not download code controlling services that are invoked elsewhere.

Thus, the cited combination fails to disclose claim 22 as amended. Claims 22, 24, 25, 27, 31, 35 and 37 depend from claim 22 and are not made unpatentable for at least this reason.

Accordingly, reconsideration of the rejection of claims 22, 24, 25, 27, 31, 35 and 37 as amended is respectfully requested.

Rejection of Claims 26, 28-30, 32-34 and 38 under 35 U.S.C. §103(a)

The Examiner has rejected claims 26, 28-30, 32-34 and 38 under 35 U.S.C. §103(a) as being unpatentable over Ortony and Orenshteyn, in further view of an Official Notice.

Claims 26, 28-30, 32-34 and 38 depend from claim 22. The cited combination cites a portable Network Service Device with a resident email program or web browser that does not download code controlling the email program or web browser. Thus, the cited combination fails to disclose "an input/output device supporting the user interface program, wherein the device downloads code controlling the set of services" of claim 22 as amended.

Accordingly, reconsideration of the rejection of claims 26, 28-30, 32-34 and 38 as amended is respectfully requested.

Rejection of Claim 36 under 35 U.S.C. §103(a)

The Examiner has rejected claim 36 under 35 U.S.C. §103(a) as being unpatentable over Ortony and Orenshteyn, in further view of Whitehead et al., U.S. Patent No. 6,085,030.

Claim 36 depends from claim 22. The cited combination cites a portable Network Service Device with a resident email program or web browser that does not download code controlling the email program or web browser. Thus, the cited combination fails to disclose "an input/output device supporting the user interface program, wherein the device downloads code controlling the set of services" of claim 22 as amended.

Accordingly, reconsideration of the rejection of claim 36 as amended is respectfully requested.

Rejection of Claims 39, 42, 44 and 45 under 35 U.S.C. §103(a)

The Examiner has rejected claims 39, 42, 44 and 45 under 35 U.S.C. §103(a) as being unpatentable over Frese, II et al., U.S. Patent No. 5,909,545, in view of Ortony.

Claim 39 includes the following limitation:

"transferring a control program to the portable computing platform via the network, the control program including user interface constructs for generating commands for control of the application"

The Examiner notes that Frese II et al. does not disclose a "portable" computing platform satisfying the claim limitation. To satisfy this deficiency with Frese II et al., the Examiner argues that the portable Network Services Device of Ortony is such a "portable" computing platform satisfying the claim limitation.

However, the portable Network Services Device of Ortony fails to disclose the claim limitation above. Ortony discloses a Network Service Device which executes programs such as an email program or a web browser, which are stored in a ROM or mass storage unit. Ortony, column 6, lines 28-36. The portable Network Service Device of Ortony does not download code controlling the email program or web browser, as the email program or web browser is already present at the portable Network Service Device. Therefore, combining the portable Network Services Device of Ortony with Frese II et al. would result in a system which does not perform "transferring a control program to the portable computing platform" as claimed.

Thus, the cited combination fails to disclose claim 39. Claims 42, 44, and 45 depend from claim 39 and are not made unpatentable for at least this reason.

Accordingly, reconsideration of the rejection of claims 39, 42, 44 and 45 is respectfully requested.

Rejection of Claims 40 and 41 under 35 U.S.C. §103(a)

The Examiner has rejected claims 40 and 41 under 35 U.S.C. §103(a) as being unpatentable over Frese and Ortony, in further view of Myers et al., "Collaboration Using Multiple PDAs connected to a PC."

Claims 40 and 41 depend from claim 39. The cited combination cites a portable Network Service Device with a resident email program or web browser that does not download code controlling the email program or web browser. Thus, the cited combination fails to disclose "a portable computing platform" as claimed in the limitation "transferring a control program to the portable computing platform" of claim 39.

Accordingly, reconsideration of the rejection of claims 40 and 41 as amended is respectfully requested.

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No. 0329 P. 10

Application No. 09/890,076

3COM 2257-2

Rejection of Claim 43 under 35 U.S.C. §103(a)

The Examiner has rejected claim 43 under 35 U.S.C. §103(a) as being unpatentable over Frese and Ortony, in further view of Whitehead.

Claim 43 depends from claim 39. The cited combination cites a portable Network Service Device with a resident email program or web browser that does not download code controlling the email program or web browser. Thus, the cited combination fails to disclose "a portable computing platform" as claimed in the limitation "transferring a control program to the portable computing platform" of claim 39.

Accordingly, reconsideration of the rejection of claim 43 as amended is respectfully requested.

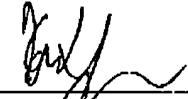
CONCLUSION

It is respectfully submitted that this application is now in condition for allowance, and such action is requested.

The Commissioner is hereby authorized to charge any fee determined to be due in connection with this communication, or credit any overpayment, to our Deposit Account No. 50-0869 (3COM 2257-2).

Respectfully submitted,

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